

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRANDON DENARD POWE,

Petitioner,

Civil No. 11-11875
Honorable Denise Page Hood

v.

HUGH WOLFENBARGER,

Respondent.

**ORDER GRANTING MOTION TO FILE EXHIBIT [DKT. 13], DENYING REQUEST
FOR CAPTION CHANGE [DKT. 12] AND REVISION OF TEXT [DKT. 14]**

Petitioner Brandon Denard Powe filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondent filed an answer to the petition.

Petitioner requests that the Court permit him to amend his petition to include as an exhibit a copy of his presentence investigation report. He attaches a copy of the report to his pleading. Although Respondent has already filed a response, Federal Rule of Civil Procedure 15 provides that the Court should freely allow a party to amend when justice so requires. FED. R. CIV. P. 15(a)(2). Here, the Court concludes that Respondent will not be prejudiced by allowing Petitioner to amend his petition to add the report.

Accordingly, the Court **GRANTS** Petitioner's motion to file the exhibit (**#13**), and deems the attached exhibit as filed. The Court **DENIES** without prejudice the Request for

caption change **(#12)**. The Court **DENIES** the request for revision of text **(#14)**.

IT IS SO ORDERED.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: February 6, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 6, 2013, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager